4/28/69

Dear Dick,

Both your letters postmarked the 24th are here, one written 4/23. I read them when I got the mail then decided to work outsidex little while and think. After coming back in I scanned Frazier's testimony, too hastily, but I did read it and the questioning. I find deficiencies to which I cannot with positiveness attribute certain significance, but at least I can read it in.

I wish I'd the time to go back over all of it and recall when the rifle was first test fired not for lab specimens. I am presuming that the two Frazier used (saying the others were similar, whereas I think he should have side they were identical), were fired before any others were. If they were not, then there had to be special reason for not using the cases they already had, and here it could begin to get conspiratorial.

Although there is a four-day difference in the time he got the third fired case, so called, from Dallas and the first two, I am confident he made his test before the 27th. Too much pressure to let it go that long. I'd guess he made his test 11/23 or 11/24, the day he got the empties or the following day. Assuming this, unless there are certain things immediately obvious to the trained eye guided by an inquisitive and suspicious mind, I'd also assume he had no reason for unloading the charge. On the other hand, from his testimony it seems clear that the markings left by rapid and slow fire can be very different. I would not assume his test shots were made firing as rapidly as the impossible time in Dallas, therefore I'd assume he was aware of this difference and should have gone to some his rapid-fire cases. That he did not is cause for separate suspicion. In my thinking I also consider the FBI prosecution-minded. That is, once a suspect is decided upon, they are not inclined to look for exculpatory evidence. And they may well have been influenced by the very public campaign against Oswald without special instructions at that early date.

With my untrained, inexperienced eye I think I detect certain uniform inconsistencies between the "real" and the test primer markings. They indicate to me consistently lighter pressure on the "real" cases, perhaps not enough to indicate they were fired with a primer explosion only. Maybe our own testing can resolve this.

In this connection, I also call to your attention the fact that identical areas of both are not shown in this series of exhibits. With this I note an inadequacy in the testimony, where Frazier testified there was little depth of field through the microscope. Here I remind you of my own suggestion that we take close-up shots and magnify them. He could have done this and he would not have had this liability. The camera eye would not be nearly so critical and would have permitted sufficient magnification. There has to be a reason he failed to do this, or that the photo experts did not suggest it, if they didn't. It cannot be because he wanted the most definitive, irrefutable evidence, or that he was confident of the outcome. I'd not be too surprised if they did that and were silent about it.

Frazier is an agent familiar with the requirements imposed on a technical expert by courts. Whether or not Eisenberg was sharp enough to catch it, I have little doubt that Frazier was aware of the inadequacies of his testimony and of the omissions, such as the other causes of some of the noted things, one of which interests us. Therefore, I repeat myself and say he was a conscious part of the coverup, at the time he testified.

You quote 3H415 for a limited purpose. Read the preceeding paragraph again. Here he testified the test purpose " to pick up the microsopic marks... by the face of the bolt. Yet he restricted himself almost entirely to the tiny part, the primer and firing pin, especially in the pictures. Carelessness? Sloppiness? Or for a reason. Here, I imagine, because that alloy is harder than what is used in the primer, the difference between a primer-firing and a full-power firing might be greater. On 422 he acknowledges the results of differences in pressure but avoids that which can cause the greatest difference, the lack of propelling charge. It would seem that carefully as bullets are made, the slight differences in propellant would not be significant in terms of bolt-face or primer markings and that what would be expected is not what he testified to but that there would be exactly identical markings on both sets. Would not the "overall pattern" be similar for all bolts of approximately the same period of manufacture, with the same tools made in making the bolts?

Incidently, none of my Westerns are sealed with red lacquer. I therefore wonder about reloaded ammo and the absence of spectro analysis on the test and "real" primer metal when the FBI knew (WHITEWASH) of the ready availability in Dallas od reloaded ammo.

Please note this carefully and check to see if I misinterpret. At the top of the next page, speaking of what I take to be C-6, one of the "real" cases, Eisenberg asked, "Were you able to find identifying marks on the brass as well as the primer of this cartridge case?" Frazier's astounding response, when you consider the above-quoted purpose of his "test", "to pick up the microscopic marks...by the face of the bolt", is, "No; I did not notice any marks on the brass portion outside of the primer". Now to me, blessed with no knowledge of ballistics but thoroughly impressed with the extraordinary pressure my gunshot told me is in that charge when set off, it is entirely inconceivable that he found no marks on any of the brass outside the primer if the "real" bullet had been fired with a full charge in it. And here, I suggest, is the reason his testimony is limited to the primer and firing pin. No accident, no sloppindss, conscious deception, the full meaning of which had to be known by Frazier, whether or not Eisenberg understood it. Here you see also why I want to take my own photographer and get my own pictures for us to examine the brass outside the primer with the great magnification photography should make possible.

Another digression: I will speak to the photographer in advance, but for our purposes I would like to have a jig of some kind so we can have exactly the same distance between the lens and the cases when photographing the end of the bullets I fire. I think it will be possible to overlay the neagtives, the markings will be that identical.

Skip to 427 and you find, beginning about a third of the way up, that Frazier again acknowledges significant pressure differences between the "real" and the test case, consistent with large differences in pressure. He accounts for the difference by saying there was a difference in pressure. What difference could there be in the "construction" of mass-produced bullets? None not man-made, only the difference in charge, what we believe. And on the next page the gobbledegook about focus.

So, for two particular reasons among others, the nature of the evidence and logic, I conclude that Frazier did not test-fire unloaded shells, and that the "real" shells, as I indicated in WHITEWASH, are the phonies. He had to have at least suspected this at the time of his testimony. I think this may be what threw you, if you have been thrown and I am right. I do not know. In addition, I think the hazard of getting caught and the consequences are too great. But this does not invalidate your beliefs one bit. It merely requires reorientation with a pattern that is consistent in all other cases. Here I not Whitney Joy's belief that the marks were added. I heard from him today and inlcude a copy of his letter.

I cannot say this was done. But I also point out we do not know when the dents appeared on the test cases, for the testimony is about the end only. We may now find that they have been in the rifle more than once, another reason for getting our own pictures. I think this at least worth checking out.

Two cautions: the last thing I recommend is readiness to "scrap the whole thing". This is one of the first things to interest me, and I think you have carried it very far forward. I think we are on the verge of learning something significant. The second caution is over-optimism ("We can bust the whole mess from top to bottom"). I have already done this tooxx many times to expect any one to accomplish that. I have skilled and interested help here now. The problem is money. I cannot pay for any great number of Archives pictures, certainly not in color, where they charge $10 each for 8x10s. And a repetition of an old warning: beware of Thompson. At best he cannot be depended upon. He just makes things up, and I know, having checked some out. The rest is purloined. He has nothing new, only plagiarism and irresponsible conjecture based on it, to reach a formula.

London: I'll let that wait until we both have more time. If you could prepare a list of these things to be checked in the papers there, as in your 4/24, I could send them and have the English papers checked onnthe same points. Eventually it will be worthwhile. I'd like copies of both letters, to use if you see nothing wrong.

Agreed on avoiding reconstructions. Unnecessary and dangerous. But I suggest the final form of the work should not be determined until the work is done.

On Nicol, I think you said you sent me a copy of your letter to him. You sent one to Nichols instead, not any to Nicol. Any answer? Or do I still misunderstand? Maybe you did not write Nicol?

Bottom page 1: that is the key, in both cases. Top page 2: identical marks from the primer only will be on the full-charge shells, perhaps not as clear and perhaps not all those on full-charge? Why "diferent" rather than different in character and intensity? Agreed on test. With pictures. Do not depend on microscope because of limited depth focus. I think it is necessary whether or not it goes into Frazier's motive. Bottom 2: you now know I am taking a dual expert with me-photo and rifle. His two hobbies.

Top 3: if cases presented evidence of having been fired and not having been, there is no confusion, only guilty officials... Why go into 399 in this if you do not go into all other ballistics?... Agreed on Hoover. He knew what he was told as others did what he, directly or indirectly, told them. ..What is Nichols going into?... Agreed on Epstein. Limp wrist: no real proof.... If Sprague is not responsible for some of the mishandling of those pictures, I also am wrong. He was not for what Garrison did. He did not give them to G. G. lifted them from something I was working on, knowing it. It might be worthwhile for me to read that correspondence. His work is so irresponsible others have doubts. Wait before apologizing.

Patience!